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Attorneys for Defendant
LINCOLN GENERAL INSURANCE COMPANY,
a Pennsylvania corporation

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

BRANDON IMHOFF dba BBI
CONSTRUCTION,

Plaintiff,

v.

LINCOLN GENERAL INSURANCE
COMPANY, AMERICAN CLAIMS
MANAGEMENT, INC. dba AMERICAN
COMMERCIAL MANAGEMENT, et al.,

Defendants.

No. C-08-02127 PJH

**STIPULATION AND ORDER OF
DISMISSAL WITH PREJUDICE**

Date: October 30, 2008
Time: 2:30 p.m.
Ctrm. 3

AND RELATED CROSS-ACTION

Plaintiff BRANDON IMHOFF dba BBI CONSTRUCTION ("Plaintiff") and Defendant LINCOLN GENERAL INSURANCE COMPANY ("Defendant"), by and through their counsel of record, hereby stipulate that:

1. On or about September 18, 2008, Plaintiff and Defendant negotiated a full and final settlement of all claims between them;
2. On or about October 28, 2008, Plaintiff entered into a fully executed Settlement Agreement and Release memorializing the settlement; and
3. In accordance with Rule 41(a)(1) and (2), Plaintiff and Defendant respectfully

1 request that the court dismiss Plaintiff's complaint with prejudice pursuant to the terms of the
2 agreement between them.

3 IT IS SO STIPULATED.

4 Dated: October 29, 2008

BURNHAM BROWN

5 By /s/ Alison F. Greene 10/29/2008
6 ALISON F. GREENE, (SBN 258409
7 Attorneys for Defendant LINCOLN
8 GENERAL INSURANCE COMPANY

9 Dated: October 29, 2008

MURPHY, LOGAN, BARDWELL & LOOMIS

10 By /s/ Paul Loomis 10/28/2008
11 PAUL LOOMIS (SBN 111754)
12 Attorneys for Plaintiff
13 BRANDON IMHOFF dba BBI
14 CONSTRUCTION

15 **ORDER**

16 In accordance with Rule 41(a)(1) and (2) of the Federal Rules of Civil Procedure,
17 Plaintiffs' Complaint filed herein is hereby dismissed with prejudice.

18 PURSUANT TO THE STIPULATION, IT IS SO ORDERED.

19 Dated: 10/30/08

20 JUDGE PHYLLIS J. HAMILTON

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22 895711

